

Honolulu, Hawaii

FEB 16 2007

RE: S.B. No. 1755  
S.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fourth State Legislature  
Regular Session of 2007  
State of Hawaii

Madam:

Your Committee on Water, Land, Agriculture, and Hawaiian Affairs, to which was referred S.B. No. 1755 entitled:

"A BILL FOR AN ACT RELATING TO LIABILITY FOR COQUI FROG ERADICATION EFFORTS,"

begs leave to report as follows:

The purpose of this measure is to aid in the eradication of invasive species in Hawaii by providing government agencies and private entities limited liability immunity for injuries sustained by volunteers who are engaged in coqui frog eradication efforts.

Testimony in support of this measure was submitted by the Department of Agriculture, the Department of Land and Natural Resources, the Maui Outdoor Circle, the Kihei Akahi Association of Apartment Owners, the Hawaii Agriculture Research Center, the Hakalau Coqui Warriors, the Hele Mauna Street Neighborhood Watch, and three individuals.

The accidental introduction of the coqui frog in Hawaii has resulted in a serious problem for residents and tourists. Coqui populations have exploded in the last fifteen years from presumably a single infestation to over two hundred on the Big Island alone. They are also present on Maui, Oahu, and most recently on Kauai. The infestation of coqui frogs has forced government agencies to enlist the help of volunteers to aid in the eradication efforts. During coqui frog eradication projects, volunteers are required to move through forested areas or areas dense in vegetation, which may create hazardous conditions for or



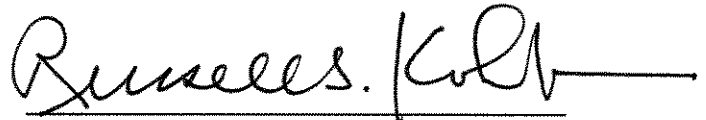
has the potential of causing injury to these volunteers. Your Committee finds that providing to government agencies and private entities limited liability immunity from injuries sustained by volunteers who are engaged in coqui frog eradication efforts fulfills the intent of this measure, which is to further aid in the eradication of invasive species in Hawaii.

Your Committee has amended this measure by adopting the suggestion made by the Department of Agriculture by replacing "non-employed volunteers" with "unpaid volunteers" to provide clarity.

The Department of Agriculture suggested expanding the scope of this measure to include the potential for other invasive species eradication efforts. However, your Committee notes that the title of this measure is specific to coqui frog eradication efforts, and therefore, while willing to accommodate this additional amendment, your Committee is unable to do so.

As affirmed by the record of votes of the members of your Committee on Water, Land, Agriculture, and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1755, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1755, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on  
behalf of the members of the  
Committee on Water, Land,  
Agriculture, and Hawaiian  
Affairs,




RUSSELL S. KOKUBUN, Chair



The Senate  
Twenty-Fourth Legislature  
State of Hawaii

**Record of Votes**  
**Committee on Water, Land, Agriculture and Hawaiian Affairs**  
**WAH**

Bill / Resolution No.:* <b>S.B. 1755</b>	Committee Referral: <b>WAH, JDL</b>	Date: <b>2/14/07</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KOKUBUN, Russell S. (C)	X			
TOKUDA, Jill N. (VC)	X			
FUKUNAGA, Carol				X
HEE, Clayton	X			
SLOM, Sam	X			
<b>TOTAL</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">  </div>				
Distribution:                              Original                              Yellow                              Pink File with Committee Report             Clerk's Office                        Drafting Agency				

\*Only one measure per Record of Votes